DRAFT
ENVIRONMENTAL ASSESSMENT

GOLD CREEK FISHING ACCESS SITE
PROPOSED ACQUISTION AND DEVELOPMENT

April 2017

Montana Fish, Wildlife & Parks

Draft Environmental Assessment for Gold Creek Fishing Access Site Proposed Acquisition and Development

MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:
Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately six acres along the Clark Fork River near Gold Creek, Montana for the purpose of providing additional public access to the popular Clark Fork River and developing a fishing access site (FAS). Proposed developments include a designated parking area with loop road, a singlewide concrete boat ramp, a gravel access road, two security gates on the easement road, boundary fencing, site protection fencing with turnstile, a concrete vault latrine, and informational signs.

2. Agency authority for the Proposed Action:
The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs Montana Fish Wildlife and Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the Proposed Action in relation to this rule. See Appendix A for HB 495 qualification.

3. Name of project:
Gold Creek Fishing Access Site Proposed Acquisition and Development

4. Project sponsor:
Montana Fish, Wildlife and Parks, Region 2
3201 Spurgin Road
Missoula, MT 59804
(406) 542-5500

5. Anticipated Schedule:
Estimated Public Comment Period: April 2017
Estimated Decision Notice: May 2017
Commission Approval Requested to Proceed: June 2017
Estimated Commencement Date: Fall 2017
Estimated Completion Date: Winter 2018
Current Status of Project Design (% complete): 35%

6. Location:
The proposed Gold Creek Fishing Access Site is located on the Clark Fork River off Interstate 90 at exit 166 along Gold Creek Road .5 mile north of Gold Creek, Montana and approximately 8 miles northwest of Garrison Junction in Powell County, SW1/4 Section 25, Township 10 North, Range 11 West (Figures 1 and 2).

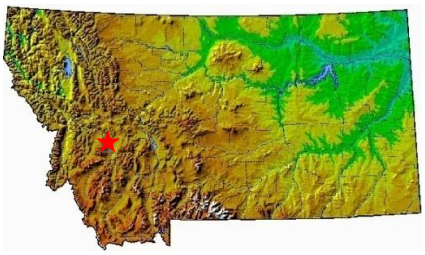

Figure 1. General location of proposed Gold Creek FAS in Montana.

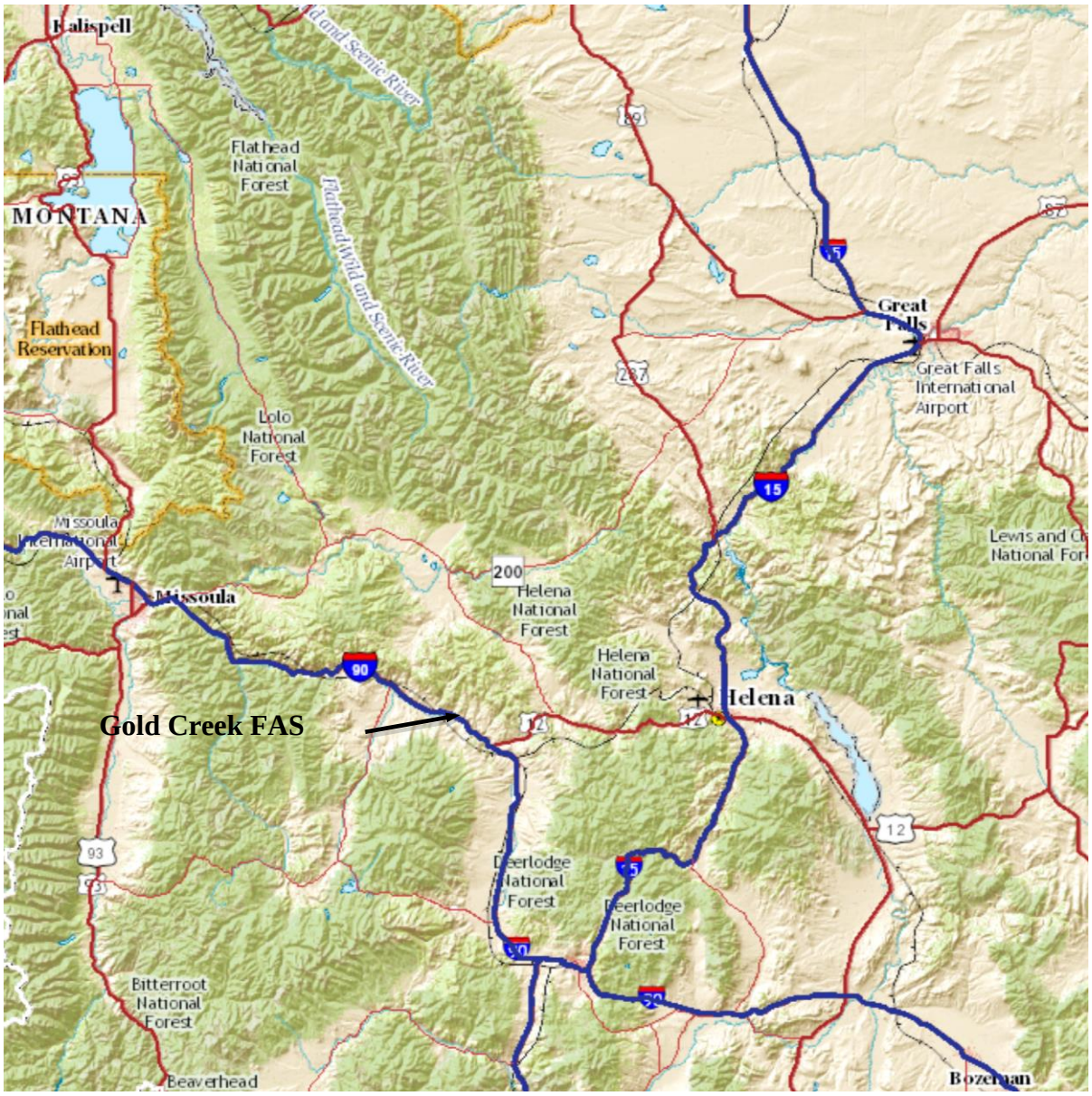

Figure 2. Area location of proposed Gold Creek FAS.

Figure 3. Aerial view of proposed Gold Creek FAS site.

7. Project size -- estimate the number of acres that would be directly affected that are currently:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	2	Rangeland	0
		Other	0

Figure 4. View of existing pioneered parking area at proposed Gold Creek FAS site.

Figure 5. View of existing pioneered boat launch at proposed Gold Creek FAS site.

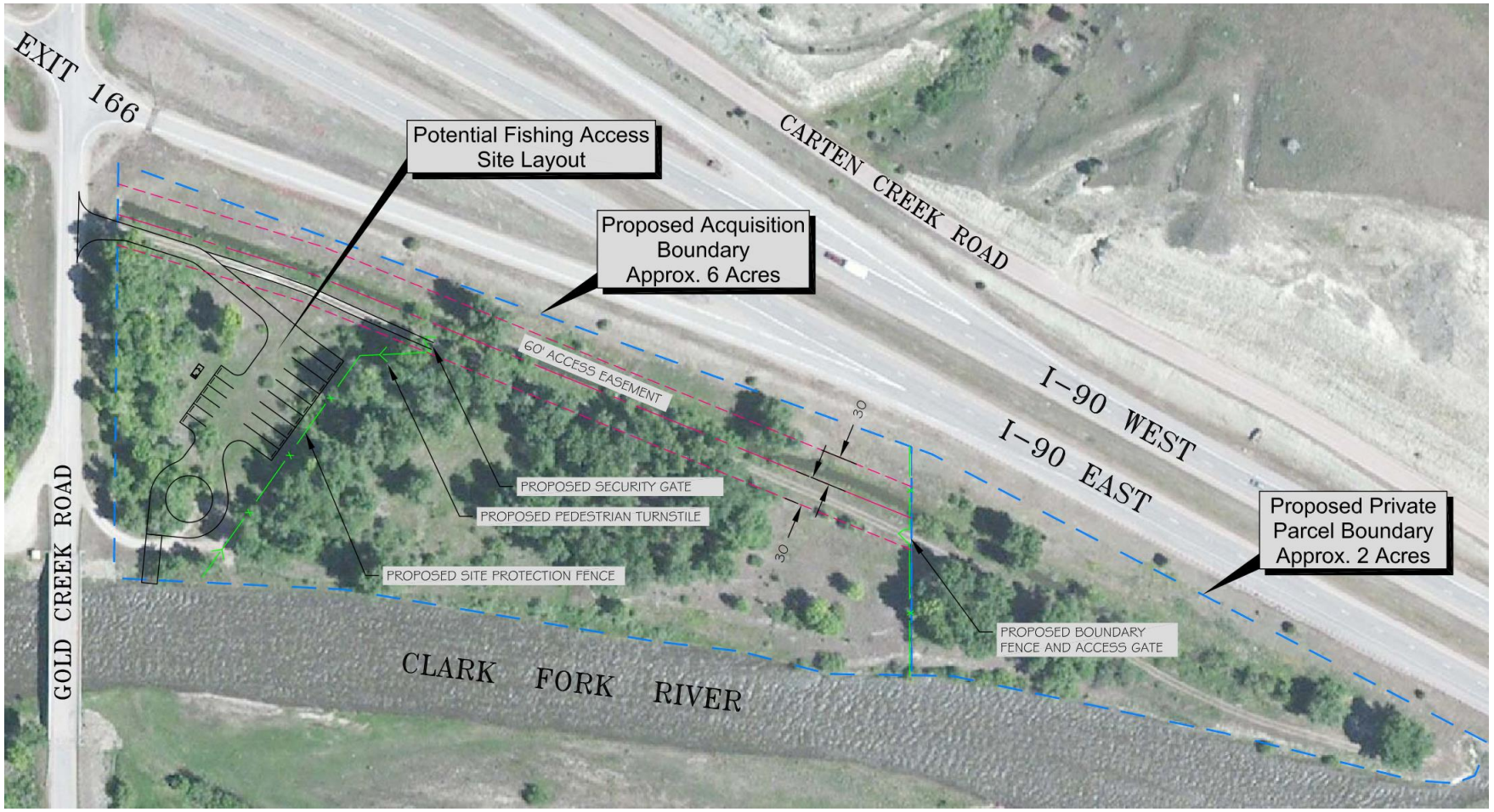

Figure 6. Preliminary Concept Site Plan for proposed Gold Creek FAS

8. Permits, Funding & Overlapping Jurisdiction.

(a) Permits: Permits would be filed at least 2 weeks prior to project start.

Agency Name	Permits
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity
Montana Fish, Wildlife & Parks	124 Montana Stream Protection Act
Powell County	Floodplain Permit and Sanitation Permit
US Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

Agency Name	Funding Amount
Natural Resource Damage Program Funding	
1. Property Acquisition	$ 60,000
2. Estimated FAS Development Costs	$160,000
Total Estimated Cost	$220,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Natural Heritage Program	Species of Concern (Appendix B)
State Historic Preservation Office	Cultural Clearance (Appendix E)
Powell County Weed District	Weed Management Coordination

9. Narrative summary of the proposed action:

The Clark Fork River originates in the Highland Mountains at the confluence of Silver Bow and Warm Springs Creeks near Anaconda, Montana. The river flows north and west 350 miles through broad, semi-arid valleys, high mountain ranges, narrow canyons, and steep-sided valleys and terminates in Lake Pend Oreille, Idaho. The Upper Clark Fork River meanders through the flat, sparsely vegetated plains of the Deer Lodge Valley, where the effects of the mining boom are the greatest historical influence in the Upper Basin. Downstream from the mouth of the Little Blackfoot River, the river flows through a steep, narrow canyon where the river channel has been shortened by highway and railroad construction activities. From Jens to Milltown the Clark Fork River meanders away from the transportation corridor and native trees and shrubs appear along its banks. The Middle Clark Fork River extends about 115 river miles from Milltown to its confluence with the Flathead River and is entirely free flowing. Its drainage is mountainous and covered with large forested tracts, broken by grazing and cropland areas in the lower valleys. From the Thompson Falls Dam, the Lower Clark Fork River flows through sedimentary formations and a landscape sculptured by the massive outflows of glacial Lake Missoula. When the Clark Fork River crosses the Idaho border, it is Montana's largest river, carrying an average 22,060 cubic feet of water per second. Today the river is important for agricultural and recreational use along its entire length through Montana and is heavily used for boating, floating, fishing, hunting, wildlife viewing, hiking, and picnicking.

The proposed Gold Creek FAS is located on the Clark Fork River at river mile 291, and is 49 miles downstream of its headwaters (Figure 3). The Clark Fork River is open to angling from the third Saturday in May through November 30, with specific exceptions outlined in the 2017 Montana Fishing Regulations. Per recent FWP surveys, the average angler days per year from 2007 to 2013 on the 78-mile stretch from the Bitterroot River (river mile 222) to the Little Blackfoot River (river mile 300) was 6,555, with a low of 4,902 in 2007 and a high of 9,515 in 2013. The regional ranking for this stretch of river averaged the 17th most fished body of water, and the state ranking for this stretch of river averaged the 99th most fished body of water in Montana out of more than 1,400 stream reaches, lakes and reservoirs surveyed annually by FWP. The proposed Gold Creek FAS will be the only FWP FAS on the 31-mile stretch between Drummond FAS (river mile 273) and Kohrs Bend FAS (river mile 304) and will likely be frequently used as a put-in and take-out site for floaters and boaters, as well as for anglers on the Clark Fork River.

Common game fish found in the Clark Fork River near Gold Creek FAS include brown trout and mountain whitefish. In addition, brook, rainbow, westslope cutthroat, and bull trout occur in this stretch of the Clark Fork River but are rare. Common non-game species found in this stretch include longnose dace, longnose sucker, largescale sucker, and slimy sculpin.

The primary ecological system found on Gold Creek FAS is Northern Rocky Mountain Lower Montane Riparian Woodland and Shrubland, as defined by the Montana Natural Heritage Program (MNHP), and is dominated by black cottonwood, willow, and western snowberry. A search of the MNHP Species of Concern database found no plant Species of Concern on Gold Creek FAS. Houndstongue, Canada thistle, and common tansy, species classified as Noxious Weeds by the Montana Department of Agriculture, are numerous on the property.

Common wildlife species whose habitat distribution overlaps Gold Creek FAS include white-tailed and mule deer, elk, moose, mountain lion, black bear, red fox, beaver, muskrat, northern river otter, hoary bat, bald eagle, and great blue heron. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including a variety of raptors, waterfowl, and songbirds. According to the MNHP, Species of Concern that have been observed on or in the vicinity of Gold Creek FAS include bull trout (listed as Threatened by the US Fish and Wildlife Service (USFWS)), bald eagle (listed as DM by the USFWS), fisher (listed as Sensitive by the US Forest Service (USFS) and Bureau of Land Management (BLM)), great blue heron, bobolink, long-billed curlew, westslope cutthroat trout, fringed myotis, and hoary bat. See *Appendix B* for the MNHP Environmental Summary Report.

The Upper Clark Fork has been heavily impacted by past mining operations and the Clark Fork watershed now encompasses the largest Superfund site in America. A court settlement between the State of Montana and Atlantic Richfield Company produced a multi-million dollar fund to clean-up and restore the Clark Fork River basin, including removing the mine waste trapped behind Milltown Dam, restoring once-dead Silver Bow Creek, and rehabilitating 47 miles of the Upper Clark Fork.

The planned work on the Upper Clark Fork is the result of many years of planning among numerous federal, state, and local agencies and stakeholders and is described in the *2012 Final Upper Clark Fork River Basin Aquatic and Terrestrial Resources Restoration Plan.* The Montana Natural Resource Damage Program (NRD) within the Montana Depart of Justice is administering funding for this Restoration Plan.

In 2013, the Natural Resource Damage Program granted funds to FWP for fishing access site acquisition and development. These funds were granted to mitigate for damage to the Clark Fork River drainage resulting from historic upstream mining and smelting. The proposed Gold Creek FAS will be partially funded by this grant and was selected because it would provide public access to the Clark Fork River for a 31-mile stretch from Drummond FAS and Kohrs Bend FAS. The site is also considered to be in an ideal location for fishing, boating and floating access and is expected to receive moderate to heavy angler use. Unauthorized use by the public of the property has resulted in a pioneered access road and parking area (Figure 4), and a pioneered boat launch (Figure 5). Previous developments by the landowner include an access road along the north property boundary to access the ditch head gate and fencing along the property boundaries.

FWP proposes to acquire approximately six acres of private land in fee title for developing a fishing access site. Proposed developments of the Gold Creek FAS include a gravel parking area with loop road, a singlewide concrete boat ramp, a gravel access road, a security gate and access gate on the easement road, new boundary fencing with a pedestrian turnstile, a concrete vault latrine, and informational signs (Figure 6).

The property would be managed under existing FWP public use regulations. Management of the FAS would include routine maintenance, control of vehicles and firearms, and other accepted FWP recreation area management policies. Protection of the natural resources, the health and

safety of visitors, and consideration of neighboring properties would all be considered and incorporated into development plans for this site. Initially, the FAS would be for day-use only and no overnight camping would be allowed on the site. Future camping may be considered at a later date. Development of Gold Creek FAS would provide public access to the Clark Fork River for fishing, hunting, boating, and floating and provide additional recreational opportunities for hiking, dog walking, picnicking, and wildlife viewing.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action.
If no action was taken and the six-acre parcel was not acquired and the proposed developments were not constructed, recreational access to this stretch of the Clark Fork River would continue to be limited and difficult. The public would likely continue to seek access on this private property causing further erosion and sedimentation of the Clark Fork River and degradation of riparian plant communities. With No Action, trespass onto private land, public safety, and resource protection would continue to be issues on the property. Recreational opportunities for boating, fishing, floating, hunting, picnicking, wildlife viewing, and walking along the Clark Fork River would also continue to be limited.

Alternative B: Proposed Action.
FWP proposes to acquire approximately six acres along the Clark Fork River near Gold Creek, Montana for the purpose of providing additional public access to the popular Clark Fork River and developing a FAS. Proposed developments include a designated parking area with loop road, a singlewide concrete boat ramp, a gravel access road, a security gate and access gate on the easement road, boundary fencing, site protection fencing with turnstile, a concrete vault latrine, and informational signs.

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:
FWP would employ Best Management Practices (BMPs) (Appendix D), which are designed to reduce or eliminate sediment delivery to waterways during construction. FWP would develop the final design and specifications for the Proposed Action. All county, state and federal permits listed in Part I 8(a) above would be obtained by FWP as required. A private contractor selected through the State's contracting processes would complete the construction.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. Destruction, covering or modification of any unique geologic or physical features?		X				1c.
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes Positive	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1a. The Proposed Action would not affect existing soil patterns, structures, productivity, fertility, erosion, compaction, or instability. Soil and geologic substructure would remain stable during and after the proposed work.

1b. During construction, some minor modifications to the existing soil features would be required for construction of the parking area, loop road, boat ramp, and access road. Disturbed areas, including the pioneered parking area, access road, and boat ramp, would be seeded with a native seed mix to minimize erosion and sediment delivery to the Clark Fork River and the spread of noxious weeds. The property is currently managed for wildlife habitat and is not in agricultural production. The Proposed Action would not affect soil productivity or fertility. FWP Best Management Practices (BMP) would be followed during all phases of construction to minimize erosion (Appendix D).

1c. No unique geologic or physical features would be altered by the Proposed Action.

1d. Erosion from the pioneered boat ramp, parking area, and access road is causing sediment delivery to the Clark Fork River in the vicinity of the proposed FAS and degradation of native riparian vegetation. The proposed development of a designated parking area, gravel access road, and concrete boat ramp, and reclamation of the pioneered access road, boat ramp, and other disturbed surfaces would reduce erosion and sediment delivery to the river. The proposed project would have minor impacts on the bank of the Clark Fork River. Minor amounts of sediment may enter the river during construction of the parking area, boat ramp, and access road. However, upon completion, erosion and sedimentation to the river would be improved.

2. AIR Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X		Yes	2a.
b. Creation of objectionable odors?		X				2b.
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		X				2e.

2a. Dust may be temporarily generated during construction of the boat ramp, parking area, and access road. If additional materials were needed off-site, loading at the source site would generate minor amounts of dust. FWP would follow FWP BMP during all phases of construction to minimize risks and reduce dust. See Appendix D for the BMP. Diesel equipment would be used to implement the Proposed Action. There would be a temporary increase in diesel exhaust. If the Proposed Action were implemented, odors from diesel exhaust would dissipate rapidly. The impacts would be short term and minor.

2b. FWP would regularly maintain the latrine to minimize objectionable odors.

2e. The proposed project would have no impact on air quality in the vicinity of Gold Creek FAS and would not result in any discharge that could conflict with federal or state are quality regulations.

3. WATER Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes Positive	3b.
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?			X		Yes	3d.
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X		Yes	3h.
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)			X		X	3l.
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)			X		Yes Positive	3m.

3a. The proposed developments may cause a temporary, localized increase in turbidity in the Clark Fork River. FWP would obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit for Short Term Water Quality Standard for Turbidity. FWP BMPs would be followed during all construction (Appendix D).

3b. Construction of a designated parking area, a concrete boat ramp, and gravel access road may alter surface runoff. The pioneered parking area, boat ramp, and access road would be reclaimed and re-vegetated to minimize erosion and sediment delivery to the Clark Fork River, thus improving water quality in the immediate area. The Proposed Action would be designed to minimize any effect on surface water, surface runoff, and drainage patterns. FWP BMP would be followed (Appendix D).

3d. There may be a minor, temporary increase of runoff during construction. FWP BMP would be followed (Appendix D).

3h. The use of heavy equipment during construction may result in a slight risk of contamination from petroleum products and a temporary increase in sediment delivery to the river. FWP BMPs would be followed during all phases of construction to minimize these risks (Appendix D).

3l. According to the Powell County Floodplain Administrator, a portion of the proposed project would be located within a designated floodplain, as shown on the Federal Emergency Management Agency (FEMA) Map #3000591125B,

Panel #665B, effective date April 15, 1981. The proposed boat ramp and a portion of the loop road would be located within the 100-year floodplain, with a 1% annual chance of a flood hazard. The remainder of the project area is in Zone C, defined as areas subject to minimal flooding. Permits from FWP, Montana Department of Environmental Quality (DEQ), the US Army Corps of Engineers, and Powell County will be obtained to insure the proposed project will follow federal, state, and county floodplain and water quality regulations.

3m. All impacts to water quality resulting from construction would be temporary. Water quality of the river could improve because of the proposed project by reducing sediment delivery to the river and riverbank erosion.

4. VEGETATION **Will the proposed action result in?**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Yes Positive	4a.
b. Alteration of a plant community?		X				4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				4d.
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				4f.
g. Other:						

4a. The Proposed Action would have positive impacts on the plant communities and diversity of the site. The pioneered boat ramp and access road would be reseeded to reduce further erosion, sedimentation, and weed establishment and to encourage re-establishment of native riparian plant communities. The parking area would be constructed over the pioneered parking area. Construction of the boat ramp, access road, and parking area and installation of the latrine, fencing and signs would have a minor impact on the vegetation and a minimal number of trees and shrubs would be removed during construction. Because the construction area is small, impacts from construction would be minor. Any disturbed area would be reseeded with a native seed mix.

4b. The Proposed Action would not alter the composition of plant communities at the site.
The primary ecological system found on Gold Creek FAS is Northern Rocky Mountain Lower Montane Riparian Woodland and Shrubland, as defined by the Montana Natural Heritage Program (MNHP), and is dominated by black cottonwood and willow. Common native plant species found on the proposed project site include black cottonwood, Rocky Mountain juniper, sandbar willow, peachleaf willow, snowberry, water birch, Sitka alder, chokecherry, snowberry, Wood's rose, red-osier dogwood, tufted hairgrass, slender wheatgrass, yarrow, American licorice, and western fragrant goldenrod.

Common introduced species found on the property include common mullein, smooth brome, Kentucky bluegrass, and orchardgrass. Common noxious weeds found on the property include spotted knapweed, Canada thistle, common tansy, and houndstongue.

4c. A search of the Montana Natural Heritage Program's (MNHP) Species of Concern database found no vascular or non-vascular plants of concern within the boundaries of Gold Creek FAS.

4d. Livestock grazing is not allowed on the FAS and no portion of the property is under agricultural production

4e. Heavy populations of noxious weeds, as designated by the Montana Department of Agriculture, are found along Gold Creek Road, the ditch on the northern property boundary, and in the easternmost three acres of the site, including spotted knapweed, common tansy, houndstongue, and Canada thistle. In conjunction with the Powell

County Weed Department, FWP would implement the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods to control weeds on the property. Weed management would also include the establishment of native vegetation to prevent the spread of weeds. Vehicles would be restricted to the parking areas and access roads, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas to minimize the spread of noxious weeds. Weed control costs for Gold Creek FAS in 2018 would be approximately $300, which includes spraying by both FWP and Powell County Weed Department.

4f. According to a search of the Natural Resource Conservation Service (NRCS) Web Soil Survey on February 9, 2017, no portion of the proposed project site is classified as Prime Farmland or as Farmland of Local Importance and the site has not been under agricultural production for years. A search of the MNHP Wetland and Riparian Mapping Program on February 9, 2017 and a site visit by FWP staff found that no wetland is located on the project site and approximately three acres is classified as a Lotic Riparian Forest with less than one acre as Riparian Scrub-Shrub. Because the pioneered access road, parking area, and boat ramp have been used by the public for years and the project area is small, there would be very little impact to this riparian area resulting from reconditioning the access road.

5. FISH/WILDLIFE **Will the proposed action result in:**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Deterioration of critical fish or wildlife habitat?		X				5a.
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

5a. The proposed developments are designed to minimize impacts to wildlife habitat. A minimal number of trees and shrubs would be removed for construction of the boat ramp, parking area, and loop road and efforts would be made to preserve all large healthy trees and snags where possible. Construction would likely take place in fall to avoid disturbance to nesting birds. The U.S. Fish and Wildlife Service (USFWS) classified the Clark Fork River as Critical Habitat for bull trout. However, this stretch of the Clark Fork River is not considered critical habitat for any other fish or wildlife species.

5b/5c The proposed project would have no impact on the diversity or abundance of game or non-game wildlife species. Common wildlife species whose habitat distribution overlaps the proposed Gold Creek FAS include white-tailed and mule deer, mountain lion, black bear, beaver, northern river otter, marten, bald eagle, osprey, common merganser, common goldeneye, and great blue heron. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including a variety of raptors, waterfowl, and songbirds.

Per Jason Lindstrom, FWP Region 2 Fisheries Biologist, and a review of Montana Fisheries Information System (MFISH) database, common game fish found in the Clark Fork River in the vicinity of Gold Creek FAS include brown trout and mountain whitefish. In addition, brook, rainbow, westslope cutthroat, and bull trout are rarely found in this stretch of the Clark Fork River. Common non-game species found in this reach include largescale sucker, longnose sucker, redside shiner, longnose dace and rocky mountain sculpin.

The proposed Gold Creek FAS is located on the Clark Fork River near river mile 291, 49 miles downstream of its headwaters. The Clark Fork River is open to angling from the third Saturday in May through November 30, with specific exceptions outlined in the Montana 2017 Fishing Regulations. According to recent FWP surveys, the average angler days per year from 2007 to 2013 on the 78-mile stretch from the Bitterroot River (river mile 222) to the Little Blackfoot River (river mile 300) was 6,555, with a low of 4,902 in 2007 and a high of 9,515 in 2013. The regional ranking for this stretch of river averaged the 17th most fished body of water, and the state ranking for this stretch of river averaged the 99th most fished body of water in Montana out of more than 1,400 stream reaches, lakes and reservoirs in Montana surveyed annually by FWP.

5f. According to the MNHP, Species of Concern that have been observed on or in the vicinity of Gold Creek FAS include bull trout (listed as Threatened by the US Fish and Wildlife Service (USFWS)), bald eagle (listed as DM by the USFWS), fisher (listed as Sensitive by the US Forest Service (USFS) and Bureau of Land Management (BLM)), great blue heron, bobolink, long-billed curlew, westslope cutthroat trout, fringed myotis, and hoary bat. See Appendix B for the MNHP Environmental Summary Report. No other occurrences of federally ranked animal or plant species have been found within the vicinity of the proposed FAS.

Per Scott Eggeman, FWP Region 2 Wildlife Biologist, the proposed project is unlikely to impact bald eagles. The nearest bald eagle nest is approximately 1/2 mile downstream of the FAS, which is just outside of the recommended 0.5-mile distance in the Montana Bald Eagle Management Plan, indicating the proposed project would have no effect on bald eagles. While bald eagles were officially delisted in 2007, the USFWS has jurisdiction protecting this species under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The proposed project is also unlikely to impact great blue heron. The nearest great blue heron rookery is over five miles from the FAS. In addition, the proposed project is also unlikely to impact bald eagle or great blue heron as these species are accustomed to some level of disturbance in the area. The area surrounding the FAS has been disturbed by Interstate 90 and its on-ramp, which forms the FAS north border; nearby agricultural activities; the nearby Burlington Northern railroad line; and pioneered recreational use of the site for years. According to Scott Eggeman, the proposed project is also unlikely to impact bobolink, long-billed curlew, fisher, fringed myotis, and hoary bat because the FAS does not provide habitat that would support these species.

According to Jason Lindstrom, bull trout, listed as Threatened by the USFWS and westslope cutthroat trout, a Montana Species of Concern, do not spawn in the Clark Fork River in the vicinity of Gold Creek FAS, though they migrate through this stretch of the river. Even though this reach of the Clark Fork River is classified as Critical Habitat for bull trout by the USFWS, the proposed project would not negatively impact bull trout or westslope cutthroat trout. The single wide boat ramp portion of this project will harden just a few feet of the Clark Fork River channel and the footprint is so small that the impacts will not be measurable. Additional angling pressure could occur leading to incidental mortality of bull trout, but access to this portion of the river is already available for both floaters and wade fishermen, so additional impact will likely be negligible. In fact, the proposed project could improve habitat for these species by reducing the sediment delivery to the river by reclaiming and revegetating the pioneered parking area, boat ramp, and access road. If additional angling pressure does occur, it may provide additional fishing license sales. Funds from these license dollars would put additional management and restoration work on the ground, providing benefits to bull trout in Montana. The potential of increasing angler participation can also provide more political support for bull trout management and protection in the future. These benefits likely offset any impacts the project may have. See Appendix F for the Biological Assessment for the Gold Creek FAS.

According to Tyler Parks, FWP Region 2 Wolf Biologist, Gold Creek FAS is within the habitat of the gray wolf. Currently there is one radio-collared pack with a home range that could overlap the project area. While it is possible for wolves to travel through the project area, none have been recently sighted in the immediate area. The wolf population in Montana is strong and wolves may pass through just about any area including this site. FWP has no concerns with this project impacting gray wolves.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to serve or nuisance noise levels?			X		Yes	6b.
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a. Construction equipment would cause a temporary, minor increase in noise levels at the project site. Any increase in noise level at the construction site would be short term and minor.

6b. Gold Creek FAS is not located near residential development, with the closest residence located approximately 1/3 mile south of the FAS and only five residences within 1/2 mile. The minor and temporary increase of noise levels during construction may be heard by nearby neighbors and visitors but this is an area already impacted by noise from interstate traffic and seasonal farm equipment. FWP would follow the guidelines of the good neighbor policy, all of which would mitigate increased noise levels and would limit construction to periods of low visitation to minimize disturbance to others.

7. LAND USE Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				7d.

7a. Land use would not change at Gold Creek FAS so the proposed project would have no impact on the productivity or profitability of the FAS.

7d. The Proposed Action would have no adverse affect on nearby residences.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X		Yes Positive	8c.
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X		Yes	8d.

8a. Physical disturbance of the soil during construction would encourage the establishment of additional noxious weeds on the site. In conjunction with the Powell County Weed District, FWP would implement an integrated approach to control noxious weeds, as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines to minimize the risk of chemical spills or water contamination and applied by people trained in safe handling techniques.

There is a minor and temporary risk of fuel or oil from heavy equipment accidently being released into the flood plain during construction. Contractors would have absorbent materials on site to minimize any hydrocarbon releases, as well as conduct startup inspection of all hydraulic lines and cylinder seals daily to reduce the potential for a release. FWP would follow FWP BMP during all phases of construction to minimize risks (Appendix D).

8c. The proposed project would improve public safety by improving boat launching facilities, providing adequate parking, and improving traffic flow, thereby minimizing vehicle conflicts between visitors.

8d. The use of herbicides to control noxious weeds could result in temporary water contamination from an inadvertent spill. The use of herbicides would be in compliance with application guidelines, outlined in the FWP Statewide Integrated Noxious Weed Management Plan, to minimize this risk and would be applied by people trained in safe handling techniques.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				9c.
d. Changes in industrial or commercial activity?		X				9d.
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e.

9c. The Proposed Action may improve recreational use of the area by improving boat launching and parking facilities. This would benefit local retail and service businesses (Appendix C, Tourism Report).

9d. There would be no change in commercial use of the site.

9e. The proposed developments would give boaters and floaters another opportunity to access this stretch of the Clark Fork River. Since it is likely that the proposed project would increase recreational use of the site, there could be a small increase in traffic on Gold Creek Road on the short section between the interstate and the FAS. Otherwise, the Proposed Action would have little or no impact on traffic on Gold Creek Road and any impacts to traffic would be minor and concentrated on weekends during the peak season. The Proposed Action also would not alter the distribution of population in the area.

10. PUBLIC SERVICES/TAXES/UTILITIES **Will the proposed action result in:**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		X				10e.
f. Define projected maintenance costs.		X				10f.

10a. The Proposed Action would have no impact on public services or utilities. The proposed developments would require periodic maintenance by FWP and the site would continue to be patrolled by FWP.

10b. This purchase is not expected to reduce the tax revenues that Powell County collects on this property. FWP is required by § 87-1-603, MCA, to pay "to the county in a sum equal to the amount of taxes that would be payable on county assessment of the property if it was taxable to a private citizen."

10e. Because Gold Creek FAS would initially be operated for day-use only, no revenue would be generated from camping fees.

10f. Projected annual operating, maintenance, weed control, and personnel expense for fiscal year 2018 is estimated to total approximately $3,000 per year.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X		Yes Positive	11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				11b.
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X		Yes Positive	11c.
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				11d.

11a/b. The pioneered boat ramp and pioneered parking area are currently visible from the river. By removing and re-vegetating the pioneered parking area and boat ramp and reducing degradation and weed infestation of riparian plant communities, the Proposed Action would improve the aesthetic values of the FAS.

11c. The Proposed Action would improve recreational use of the area by improving boat launching and parking facilities of the FAS. This could benefit local retail and service businesses (Appendix C, Tourism Report).

11d. No designated wild or scenic rivers, trails, or wilderness areas would be impacted by the proposed developments.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				12d.

12a/d. The Montana State Historic Preservation Office (SHPO) will be contacted to conduct a cultural resource file search for this project's locale. If recommended by SHPO, FWP would have a cultural resource consultant complete a cultural resource inventory. FWP would not begin construction until final clearance has been given by SHPO. FWP would consider design changes if necessary to accommodate SHPO requirements to protect cultural or historical resources. If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				13f.
g. For P-R/D-J, list any federal or state permits required.		X				13g.

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the developments would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use of the popular Clark Fork River.

13f. The proposed project is designed to improve recreational facilities on the site and is not expected to generate organized opposition or substantial public controversy.

13g. The U.S. Army Corps of Engineer 404 Federal Clean Water Act is the only federal permit required for the proposed development. The Montana DEQ 318 Short Term Water Quality Standard for Turbidity and the FWP 124 Montana Stream Protection Act are the only state permits required for the proposed development. In addition, a Powell County Floodplain and Sanitation Permit would also be required.

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the developments would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use of the popular Clark Fork River.

The minor impacts to the environment that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment would continue to provide habitat to transient and permanent wildlife species and would be open to the public for river access.

The Proposed Action would not impact the local wildlife species that frequent the property and the project would be designed to avoid conditions that stress wildlife populations. Other than bull trout, this stretch of the Clark Fork River is also not considered critical habitat for any other fish or wildlife species. Though the Clark Fork River is classified as Critical Habitat for bull trout, the proposed project would not negatively affect bull trout since this species does not spawn in this stretch, only migrates through the area, and the proposed project is small. In fact, the proposed project could improve bull trout habitat by reducing sediment delivery to the river.

Though bald eagle, great blue heron, bobolink, long-billed curlew, fisher, fringed myotis, hoary bat, and westslope cutthroat trout, Montana animal Species of Concern, have been observed in the vicinity of the proposed project site, the proposed project is unlikely to impact these species. Construction would likely commence in fall 2017, well after critical nesting periods. In addition, these species are likely accustomed to disturbance from Interstate 90, recreation, agriculture, and residential development in the area for years. While it is possible for wolves to travel through the project area, none have been sighted and there is no pack located in the area, so it is unlikely that the Proposed Action would impact gray wolves.

Soils disturbed during construction could colonize with weeds. Disturbed areas would be re-seeded with a native reclamation seed mix where to reduce the establishment of weeds. In conjunction with Powell County Weed Control District, FWP would implement the Statewide Integrated Weed Management Plan using chemical, biological and mechanical methods to control weeds on the property.

The proposed acquisition and development of Gold Creek FAS would provide safe and convenient river access for fishing, boating, and floating in addition to improving recreational opportunities for hunting, picnicking, dog-walking, and wildlife viewing. The proposed project would increase recreational use of this stretch of the Clark Fork River, one of the most popular and heavily used rivers in Montana.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on the Gold Creek FAS Proposed Acquisition and Development Project, and this current Draft EA including the Proposed Action and alternatives:

- Legal notice will be published twice each in these newspapers: *Independent Record* (Helena; FWP's newspaper of record), *Missoulian* (Region 2 FWP's newspaper of record), and *Silver State Post* (Deer Lodge, local project area newspaper).
- Public notice will be posted on FWP's webpage http://fwp.mt.gov ("News," then "Recent Public Notices"); the Draft EA will also be available on that webpage, along with the opportunity to submit comments online.

- Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing shrose@mt.gov; or by viewing FWP's Internet website http://fwp.mt.gov ("Public Notices," beginning April 24, 2017).
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 2 issues.
- Copies of this environmental assessment will be distributed to adjacent landowners and interested parties (individuals, groups, agencies) to ensure their knowledge of the Proposed Action.

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

If requested within the comment period, FWP will schedule and conduct a public meeting on this Proposed Action.

2. Duration of comment period:

The public comment period will extend for thirty (30) days. Written comments will be accepted until 5:00 p.m. on May 23, 2017 and can be mailed to the address below:

Montana Fish, Wildlife & Parks
Region 2, Attn: Sharon Rose
3201 Spurgin Rd
Missoula, MT 59804

Or phoned to: (406) 542-5540

Or emailed to: **shrose@mt.gov**

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this Proposed Action.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the Proposed Action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the Proposed Action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the Proposed Actions, an EA is the appropriate level of review and an EIS is not required.

2. Person(s) responsible for preparing the EA:

Rory Zarling
Region 2 FAS Program Manager
3201 Spurgin Road
Missoula, MT 59804
rzarling@mt.gov
(406) 542-5561

Andrea Darling
FWP EA Contractor
39 Big Dipper Drive
Montana City, MT 59634
apdarling@gmail.com

3. List of agencies or offices consulted during preparation of the EA:

Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
- Design and Construction
  - Lands Unit
  - Legal Unit
- Fisheries Division
- Wildlife Division

Montana Natural Heritage Program – Natural Resources Information System (NRIS)
Montana State Historic Preservation Office

APPENDICES

A. HB 495 Project Qualification Checklist (§ 23-1-110, MCA)
B. Environmental Summary Report (Montana Natural Heritage Program)
C. Tourism Report (Department of Commerce)
D. Best Management Practices (BMPs; Fish, Wildlife and Parks)
E. Cultural Clearance (State Historic Preservation Office, SHPO)
F. Biological Assessment

APPENDIX A

HB495 PROJECT QUALIFICATION CHECKLIST

Date: February 7, 2017 **Person Reviewing:** Andrea Darling

Project Location: Gold Creek FAS is located along the Clark Fork River .5 miles north of Gold Creek, Montana on Gold Creek Road in Powell County, SW1/4 Section 25 Township 10 North, Range 11 West.

Description of Proposed Work: Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately six acres along the Clark Fork River near Gold Creek, Montana for the purpose of providing additional public access to the popular Clark Fork River and developing a fishing access site (FAS). Proposed developments include a designated parking area with loop road, a singlewide concrete boat ramp, a gravel access road, a security gate and access gate on the easement road, boundary fencing, site protection fencing with turnstile, a concrete vault latrine, and informational signs.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

[ ] A. New roadway or trail built over undisturbed land?
Comments: No new roadways or trails built over undisturbed land.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: No new construction.

[X] C. Any excavation of 20 c.y. or greater?
Comments: Possibly for the boat ramp and parking area.

[ ] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: The parking area will increase capacity by more than 25% but will be built on disturbed land.

[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: No shoreline alteration other than for a single-wide concrete boat ramp.

[X] F. Any new construction into lakes, reservoirs, or streams?
Comments: Possibly for the boat ramp along the Clark Fork River bank.

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: See Appendix E for SHPO concurrence.

[ ] H. Any new above ground utility lines?
Comments: No new utility lines.

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: No campsites would be constructed.

[ ] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?
Comments: No. The Proposed Action would not affect existing features or use patterns.

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX B

ENVIRONMENTAL SUMMARY REPORT
MONTANA NATURAL HERITAGE PROGRAM
Sensitive Plants and Animals in the Vicinity of Gold Creek Fishing Access Site

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (http://nris.mt.gov) indicates occurrences of bald eagle and bull trout within the Proposed Action site. No other occurrences of federally ranked, or considered for ranking, animal or plant species have been found within the vicinity of the Proposed Action site. The search indicated that great blue heron, bobolink, long-billed curlew, westslope cutthroat trout, fringed myotis, hoary bat, and fisher, Montana animal Species of Concern, have been observed in or near the Proposed Action site. More information on these species is included below.

Montana Species of Concern. The term **"Species of Concern"** includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific
Pollinator).

U.S. Fish and Wildlife Service (Endangered Species Act)- Terms and Definitions

LE. Listed endangered: Any species in danger of extinction throughout all or a significant portion of its range.
LT. Listed threatened: Any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.
C. Candidate: Those taxa for which sufficient information on biological status and threats exists to propose to list them as threatened or endangered.
DM. Recovered, delisted, and being monitored - Any previously listed species that is now recovered, has been delisted, and is being monitored.
BGEPA. The Bald and Golden Eagle Protection Act of 1940 (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The BGEPA provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.
MBTA. The Migratory Bird Treaty Act (MBTA) implements four treaties that provide for international protection of migratory birds. The statute's language is clear that actions resulting in a "taking" or possession (permanent or temporary) of a protected species is a violation of the MBTA.
BCC. Birds of Conservation Concern 2008. The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service to identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act

Status Ranks	
Code	**Definition**
G1 S1	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 S2	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3 S3	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 S4	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
G5 S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

MFWP Conservation Need. Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

Tier I. Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.

Tier II. Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.

Tier III. Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.

Tier IV. Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF GOLD CREEK FISHING ACCESS SITE

1. **Ardea herodias (Great Blue Heron)**
   Vertebrate animal- Bird — *Habitat -Riparian Forest*
   Natural Heritage Ranks — Federal Agency Status:
   State: **S3** — U.S. Fish and Wildlife Service:
   Global: **G5** — U.S. Forest Service**:**
   U.S. Bureau of Land Management:
   Element Occurrence data was reported of great blue heron within the project area.

2. **Haliaeetus leucocephalus (Bald Eagle)**
   Vertebrate animal- Bird — *Habitat -Riparian Forest*
   Natural Heritage Ranks — Federal Agency Status:
   State: **S4** — U.S. Fish and Wildlife Service: **DM; BGEPA; MBTA; BCC**
   Global: **G5** — U.S. Forest Service: **Sensitive**
   U.S. Bureau of Land Management: **Sensitive**
   Element Occurrence data was reported of bald eagle within the project area.

3. **Dolichonyx orzivorus (Bobolink)**
   Vertebrate animal- Bird — *Habitat- Moist Grasslands*

Natural Heritage Ranks
State: **S3B**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management:

Element Occurrence data was reported of greater bobolink within 1 mile of the project area.

4. Numenius americanus (Long-billed Curlew)

Vertebrate animal- Bird *Habitat- Grasslands*

Natural Heritage Ranks
State: **S3B**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service**:**
U.S. Bureau of Land Management: **Sensitive**

Element Occurrence data was reported of long-billed curlew within 2 miles of the project area.

5. Oncorhvnchus clarkii lewisi (Westslope Cutthroat Trout)

Vertebrate animal- Fish *Habitat- Mountain Streams, Rivers, Lakes*

Natural Heritage Ranks
State: **S2**
Global: **G4T3**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service**: Sensitive**
U.S. Bureau of Land Management: **Sensitive**

Element Occurrence data was reported of westslope cutthroat trout within one mile of the project area.

6. Salvelinus confluentus (Bull Trout)

Vertebrate animal- Fish *Habitat- Mountain Streams, Rivers, Lakes*

Natural Heritage Ranks
State: **S2**
Global: **G4**

Federal Agency Status:
U.S. Fish and Wildlife Service: **LT**
U.S. Forest Service**: Threatened**
U.S. Bureau of Land Management: **Special Status**

Element Occurrence data was reported of bull trout within two miles of the project area.

7. Myotis thysanodes (Fringed Myotis)

Vertebrate animal- Mammal *Habitat- Riparian and Dry Mixed Conifer Forests*

Natural Heritage Ranks
State: **S3**
Global: **G4**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service**:**
U.S. Bureau of Land Management: **Sensitive**

Element Occurrence data was reported of fringed myotis within one mile of the project area.

8. Lasiurus cinereus (Hoary Bat)

Vertebrate animal- Mammal *Habitat- Riparian and Forests*

Natural Heritage Ranks
State: **S3**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service**:**
U.S. Bureau of Land Management:

Element Occurrence data was reported of hoary bat within two miles of the project area.

9. Martes pennanti (Fisher)

Vertebrate animal- Mammal *Habitat- Mixed Conifer Forests*

Natural Heritage Ranks
State: **S3**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service**: Sensitive**
U.S. Bureau of Land Management: **Sensitive**

Element Occurrence data was reported of fisher within two miles of the project area.

APPENDIX C
TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Jan Stoddard, Visitor Services Manager
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Gold Creek Fishing Access Site Proposed Acquisition and Development

Project Description: Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately six acres along the Clark Fork River near Gold Creek, Montana for the purpose of developing a fishing access site (FAS). Proposed developments include a designated parking area with loop road, a singlewide concrete boat ramp, a gravel access road, a security gate and access gate on the easement road, boundary fencing, site protection fencing with turnstile, a concrete vault latrine, and informational signs.

1. Would this site development project have an impact on the tourism economy?
   NO **YES** If YES, briefly describe:

   Yes. As described, this project has the potential to positively impact the tourism and recreation industry economy if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is completed.

   The Clark Fork River offers some of the best “match the hatch” dry fly fishing in the west for in-state recreationists and destination fishermen. Improved access will increase the number of visitors using this resource. The latest report from the Institute for Tourism and Recreation Research states that Fishing/Fly Fishing was a “Top Outdoor Recreation “Activity” reported by 12% of visitors to Montana in 2016. Additionally, the report also notes that nationwide participation in Outdoor Recreation specific to fishing is expected to increase in the coming decades.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO **YES** If YES, briefly describe:

   Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Jan Stoddard, MOTBD SCS Bureau Chief Date 2/9/2017

APPENDIX D
MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES
10-02-02; Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.

    a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.

2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.

3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.

4. Minimize the number of stream crossings.

    a. Choose stable stream crossing sites. "Stable" refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. Road Design

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. "Standard" refers to road width.

2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. Drainage from Road Surface

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.

    a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.

    b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

    c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.

3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.

4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.

2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these "slash filter windrows" so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.

3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.

4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.

5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.

6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.

2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.

3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.

2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils

3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.

4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.

2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).

3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.

4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.

4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.

2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.

3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.

4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).

5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.

APPENDIX E
Cultural Clearance (State Historic Preservation Office, SHPO)

Consultation with SHPO has not been completed at the time of this Draft EA's publication. A copy of SHPO's concurrence letter will be included in the Decision Notice for this EA if it is available at that time.

APPENDIX E
BIOLOGICAL ASSESSMENT FOR GOLD CREEK FISHING ACCESS SITE

To help you in preparing a Biological Evaluation for listed species, we are providing the following information:

Evaluation

An evaluation should be conducted addressing project impacts to wildlife and plants but specifically listed species. The lead federal agency (Corps of Engineers) or their designated representative will make the effects determination of project impact to listed species and their critical habitat based, in part, upon information that you provide. If a determination is "may affect" for listed species, the federal agency must provide all relevant information used in making impact determinations to the U.S. Fish and Wildlife Service. Your project evaluation should include the following:

General information required for consultation requests

I. Project Description

a. Provide the location of the proposed action including state, county, and township, range and section.
See attached EA

b. Provide a map of the project vicinity with the boundary of the proposed activity depicted.
See EA

c. Provide a detailed description of the proposed activity, including secondary project features such as access roads, power lines, etc.
See EA and design drawings

II. Site Specific Information

a. Identify listed, proposed and candidate species that may occur on site or within the influence of the proposed project.

Bull trout is the primary listed species that could be affected by this project. According to the EA developed by MFWP there are some threatened plants that have been found in the area but were not expected to be located on-site. The EA also states that lynx and grizzly bears are not likely to use the site as habitat due to the extensive interstate and railroad infrastructure near the project.

b. Provide a description of the habitat on site or within the influence of the project, including constituent elements.

The Clark Fork in this reach is occupied by bull trout seasonally with this portion of the river being used as foraging, migratory and overwintering (FMO) habitat. Densities are low and are described in greater detail below. The bull trout habitat in this reach is marginal due to high water temperatures and poor habitat diversity.

High water temperatures in this reach are due to cumulative impacts in the upper river drainage including dewatering for irrigation, poor riparian condition (due primarily to riparian grazing), and also the presence of Warm Springs Ponds, which are remediation ponds developed to settle out and treat heavy metals from upstream polluted tributaries. The habitat in this reach is also very homogenous due to channelization from Interstate I-90 and a railroad line that runs adjacent to the Clark Fork River. This channelization has led to reduced sinuousity and overall reduced channel length. This disturbance of historic channel conditions has led to a channel that generally has a high width to depth ratio and low habitat diversity.

c. Provide any known survey information.

An FWP electrofishing section that is sampled annually is located approximately two miles upstream of the proposed fishing access site. Bull trout densities are quite low in this reach of the Clark Fork River. Only one individual has been observed in the 2.1 mile section since sampling was initiated in 2008. The fish was a sub-adult. No bull trout spawning occurs in this or any reach of the mainstem Clark Fork River.

III. Effects of the Action

a. Describe the effects of the action that would directly affect the species and designated critical habitat.

***There are no known direct impacts to bull trout or direct take of the species**.*

b. Describe effects of the action that would indirectly affect the species and designated critical habitat.

There are some potential indirect impacts. The first potential impact is the installation of the boat ramp and rip-rap directly adjacent to the ramp. A larger scale rip rap or bank hardening project can negatively impact bull trout habitat by reducing natural fluvial processes that lead to the formation of complex fish habitat. It can also cause higher stream velocities which can lead to downstream bank erosion or other channel changes. However, due to the small footprint of this project (approximately 24 linear feet of bank including the boat ramp and adjacent rip-rap), these impacts will be negligible.

The other impact to bull trout that this work could have is an increase in fishing pressure in the reach, which could lead to additional harvest of bull trout or bull trout mortality from handling by anglers. However, we feel that the development of this site is likely to have minimal additional impact to bull trout in this reach. The current regulation on the Clark Fork River is catch and release for bull trout, so no additional harvest should occur unless done illegally. We do not expect illegal harvest to increase due to the development of this site. Most studies on the impact of catch and release indicate that there is minimal mortality to salmonids from catch and release, despite occasionally causing hook scars or other deformities.

Overall, we do not expect that angling pressure will increase considerably due to the development of this site. There is currently boat and wade access to this

portion of the river. This access development will likely not significantly increase the angling pressure to this portion of the Clark Fork River, it will simply make it easier for anglers to use this reach. If additional angler use occurs upon development, additional fishing licenses may be sold. These dollars are partially put towards management of bull trout fisheries and also support restoration projects to improve bull trout habitat (e.g. Future Fisheries Program). Thus, increased use could be offset by additional angler dollars for the management of these fisheries. Another secondary benefit of potential increased angler use is an overall increase in angler participation, which could also provide more political support for bull trout management, and protection in Western Montana in the future.

IV. Independent and Interrelated

a. Describe effects of interrelated actions (actions that are part of the primary action and depend on that action for their justification).

See above- no other independent or interrelated actions expected.

V. Cumulative effects

a. Describe the effects of actions that are cumulative to the primary action. This includes past, present or future state or private activities that are reasonably certain to occur.

Cumulative impacts can be observed from channel hardening if done at a large scale on multiple banks, but this project affects such a small portion of the river there should not be any significant addition to cumulative impacts from this project.

VI. Determination of Effect on the species and designated critical habitat

a. One of the following determinations should be recommended, the Corps will make final effects determination:

Beneficial effect: must be submitted to the FWS for written concurrence.
No effect: written concurrence is not required.
Not likely to adversely affect: impacts are insignificant, discountable or completely beneficial. Written concurrence is required.
Likely to adversely affect: a written request for formal consultation is required.

Determination: Likely to not adversely affect. The boat ramp portion of this project will harden a very short length of the Clark Fork River channel and as explained above, the footprint is so small that the impacts will hardly be measurable. Additional angling pressure could occur leading to incidental mortality of bull trout, but access to this portion of the river is already available for both floaters and wade fishermen, so additional impact will likely be negligible. If additional angling pressure does occur, it may provide additional fishing license sales. Funds from these license dollars would put additional management and restoration work on the ground, providing benefits to bull trout in Montana. The potential of increasing angler participation can also provide more political support for bull trout management and protection in the future. These benefits likely offset any impacts the project may have.